

CPC Minutes of June 19, 2012

A regular meeting of the City Plan Commission (CPC) was held on Tuesday, June 19, 2012 at 4:45 p.m. in the Department of the Planning and Development (DPD) 1st Floor Meeting Room, 444 Westminster Street, Providence, Rhode Island.

Opening Session

Call to order: Chairman Durkee called the meeting to order at 4:45 p.m.

Members Present: Chairman Stephen Durkee, Meredyth Church, JoAnn Ryan, Harrison Bilodeau, Andrew Cortes and Christine West

Members Absent: Ina Anderson

Staff Present: Robert Azar and Choyon Manjrekar

Approval of meeting minutes from May 15th, 2012: Ms. West made a motion seconded by Mr. Bilodeau to approve the minutes. All voted in favor.

Minor Subdivision

1. Case No. 12-021MI – 54 Locust Street

The applicant is seeking preliminary plan approval to subdivide the existing lot measuring approximately 15,000 SF into two lots measuring approximately 7,500 SF (Mt. Hope, AP 6 Lot 105) – for action

Mr. Manjrekar introduced the proposal to subdivide the subject lot with a house on it and create a second lot intended for construction of a single family home. Mr. William Carline, the applicant's attorney, said the building addition that straddled the lot line on the plan would be demolished. He said the trees in the sidewalk were diseased and would be removed. Mr. Manjrekar read from the staff report, which found the subdivision to be in conformance with the Zoning Ordinance and Comprehensive Plan. The DPD recommended that final plan approval be delegated to DPD staff and that the final plan reflect demolition of the addition to the existing building.

Mr. Cortes made a motion seconded by Ms. Church to approve the subdivision subject to the conditions in the staff report. All voted in favor.

2. Case No. 12-022MI – 41 Edendale Avenue

The applicant is seeking preliminary plan approval to subdivide the existing lot measuring approximately 17,488 SF into two lots measuring 11,200 SF and 6,288 SF (Manton, AP 80 Lot 12) – for action

Mr. James Sloan introduced the proposal to subdivide the subject property into two lots. Mr. Manjrekar presented the DPD's staff report, which found the project to be in conformance with the Comprehensive Plan and Zoning Ordinance. The DPD requested that final plan approval be delegated to DPD staff.

Mr. Cortes made a motion seconded by Mr. Bilodeau to approve subdivision. All voted in favor.

PUBLIC HEARING/CITY COUNCIL REFERRAL

3. Referral 3351 – Petition to amend the Future Land Use Map of the Comprehensive Plan

The petitioner is requesting that Map 11.2 of the Comprehensive Plan entitled “Future Land Use” be amended so that the Downtown/Mixed Use designation and Jobs District overlay encompasses the area bounded by Bradford Street, Cedar Street, Brayton Ave., Spruce Street, Jones Street and a portion of Bond Street. Public comment will be taken. (Federal Hill) – for discussion and action

CITY COUNCIL REFERRAL

4. Referral 3352 – Petition to amend the Zoning Ordinance

The petitioner is requesting that the zoning map be amended to change the zoning of lots 67, 166, 167, 171, 176, 178 and a portion of lot 375 on Plat 26 from R-G to D-2. (Federal Hill) – for action

5. Referral 3349 – Abandonment of a portion of Bond Street

The applicant is seeking to abandon a portion of Bond Street approximately 100 feet in length, to provide access to a proposed parking lot. (Federal Hill) – for action

6. Referral 3350 – Abandonment of a portion of Cedar Street

The applicant is seeking to abandon a portion of Cedar Street approximately 660 feet in length, to provide access to a proposed parking structure. (Federal Hill) – for action

MAJOR LAND DEVELOPMENT PROJECT

7. Case No. 12-014MA – Cedar Street Parking Structure

The applicant is seeking Master Plan Approval to construct a two level parking structure with a total of 317 parking spaces. The structure will occupy the area between Brayton Street and 50 Cedar Street. A portion of Cedar Street and Bond Street is proposed for abandonment to provide access to the parking area. The applicant has proposed Comprehensive Plan and Zoning Ordinance amendments to accommodate the development. (Federal Hill AP 26 Lots 67, 166, 167, 171, 176, 178, 182, R-G and D-2) – for action

The Commission jointly considered items 3 -7

A transcript of the items is available and incorporated into record

Mr. Durkee said the items would be discussed jointly, but voted on separately. Mr. Azar said the DPD had worked with the applicants to address issues when the plan was presented at the previous meeting. He said a public hearing was being held for the proposed change to the Comprehensive Plan and public comment would be taken.

Mr. Glen Whitehead introduced the project. He said the petitions for the street abandonments had been modified based on discussions with the DPD. Mr. Dominic Shelzi said a number of concerns that were brought up at the previous meeting were addressed:

- In response to concerns raised at the previous meeting, no vehicular access would be permitted from Bond Street. The structure would be accessed from Brayton Street. Bond Street would only provide pedestrian access.
- The direction of traffic on Jones and Mountain Street would not change as was originally proposed. A space used for temporary parking and unloading would be available outside the building on Bond Street.

- The petition to abandon Cedar Street in its entirety was amended to only request that a portion of the sidewalk be abandoned to accommodate the parking structure.
- The location of the second level of the structure would be set as close to the grade of existing development as possible.
- The structure would have security measures like closed circuit cameras and a security staff.
- The cutoff light fixtures would be downward facing and would not shine light on neighboring properties.

Ms. West said she appreciated the changes and said she was concerned about pedestrian safety. A discussion on pedestrian safety ensued.

Ms. Valerie Beneddetti asked where traffic would be diverted once Bond Street was abandoned. Mr. William Distefano said it would be diverted to Spruce Street.

Mr. Tina Regan asked how the decision to abandon streets was made. Mr. Azar said the CPC has a policy for abandoning streets that does not measure hardship but takes into account the practicality of the abandonment and the City Council has the authority to abandon streets. A discussion on the pedestrian environment ensued.

Ms. Filomena Lupo said she opposed the project as it could negatively affect neighborhood character. Mr. Durkee said the parking structure was important as it would support a number of businesses in the neighborhood. She asked if the existing lot was used for public parking. Mr. Shelzi said the existing lot was used for the applicants businesses and the proposed second level would be used for private parking after office hours.

Mr. Richard Leone asked for an explanation of the street abandonments. Mr. DiStefano explained what was being proposed.

Mr. Peter Scotti asked if pedestrian access to the structure could be eliminated. Mr. Distefano said it was convenient for patrons of certain restaurants. Mr. Shelzi said providing an entrance to the parking structure from Bond Street would not be very different from what presently exists as it is a heavily travelled street. Mr. Scotti asked about the parking lot's hours of operation. Mr. DiStefano said it would probably be the same as restaurants on Atwells Avenue and would be an improvement from current onstreet parking patterns. Ms. Janice Eider said the design should be refined and that streets should be leased instead of being abandoned. Mr. Joseph Tevino asked if the entrance to the parking deck would affect the residence of Ms. Rita Scipio. Ms. Durkee said ingress would only be provided from Brayton Street. A discussion ensued on the proposed operation of the lot.

Council Bryan Principe said that not changing the direction of Jones and Mountain Streets and minimizing the street area to be abandoned were positive steps. He said he was interested in seeing the landscaping and design of the project develop. He suggested that a conservation district or historic district be created for property around the parking structure.

Ms. Benedetti asked if she could enter into an access agreement with the applicant for maintaining her property. Mr. Shelzi said she could access the parking structure for maintaining her property but there was no need for an agreement to be formalized. Mr. Azar said that with regards to item no. 3, the DPD recommended that the CPC make a positive recommendation to change the future land use map.

Ms. Ryan made a motion seconded by Mr. Cortes to make a positive recommendation to amend the Comprehensive Plan. All voted in favor.

Mr. Azar recommended that the DPD make a positive recommendation to the City Council for item no. 4, the zone change to D-2.

Mr. Cortes made a motion seconded by Mr. Bilodeau to make a positive recommendation to the City Council to approve the zone change. All voted in favor.

Mr. Azar said the DPD recommended that the CPC make a positive recommendation to the City Council for abandonment of portions of Cedar and Bond Streets.

Mr. Bilodeau made a motion seconded by Ms. Church to make a positive recommendation to the City Council for the proposed street abandonments. All voted in favor.

Mr. Azar read from the DPD's staff report and recommended that the CPC approve the master plan subject to the conditions of approval in the DPD's staff report.

Mr. Durkee asked how traffic calming would be implemented. Mr. Azar said the DPD could meet with the applicant to discuss specific calming measures.

Mr. Cortes made a motion seconded by Mr. Bilodeau to approve the master plan subject to the recommendations in the DPD's staff report. All voted in favor.

CITY COUNCIL REFERRAL

8. Referral 3353 – Petition to abandon portions of Olive, Brown and Benevolent Streets

The petitioner, Brown University, is seeking to abandon a portion of Olive Street measuring 25,092 SF, a portion of Brown Street measuring 26,675 SF and a portion of Benevolent Street measuring 12,573 SF. (College Hill) – for action

INSTITUTIONAL MASTER PLAN

9. Amendment to Brown University's Institutional Master Plan

Amendment to the Brown Institutional Master Plan (IMP) for the purposes of including portions of abandoned streets within the campus and outlining development plans for those areas. (College Hill) – for action

Mr. Azar said both items would be jointly considered. He said the University was requesting the abandonment of three street areas. The Institutional Master Plan (IMP) was being amended to reflect the abandonment, the demolition of a building and the University's agreement with the City regarding onstreet parking licenses.

Mr. Michael McCormick of Brown University presented both items. He said he felt that the proposals submitted would benefit the City and the University. He said the abandonment of Olive Street was being requested to promote walking and have a loading area for the University and Thayer Street merchants. The abandonment and Brown and Benevolent Streets were also being requested to promote pedestrian movement. He said Brown Street could provide a connection to the Jewelry District in the future. Mr. McCormick said the onstreet parking license agreement with the City was the result of the findings made by the College Hill Parking Task Force. He said employees wishing to park onstreet would have to buy a permit. He said bus ridership and use of zipcars had increased.

Mr. McCormick said the IMP amendment proposed demolition of the building at 285 Tockwotton Street. He said the University bought the building in 1983 and had no current use for it. The building was deemed unstable and would be demolished. The vacant site would be landscaped. Mr. Azar said he had spoken to a building inspector who agreed with the building report.

Ms. West asked if public access would be permitted through the abandonment area. Mr. McCormick said it would be public, but access could be restricted for certain events like graduation. A discussion on pedestrians and access ensued.

Mr. Grant Dulgarian said Olive Street should be used as a loading zone for a limited time daily instead of a being designated as a 24 hour loading zone, so that it could be used for parking.

Mr. Azar said the amendment to the IMP should be considered first. He read from the DPD's staff report, which recommended that the CPC find the IMP amendment to be in conformance with the Comprehensive Plan and Zoning Ordinance. The inclusion of the abandonments in the IMP served as a disclosure that the University was petitioning the City to abandon certain streets.

Mr. Cortes made a motion seconded by Ms. Ryan to approve the amendment to the IMP. All voted in favor.

Mr. Azar said the CPC would be making a recommendation to the City Council regarding the amendments. He said the DPD recommended that the CPC make a positive recommendation.

Mr. Cortes made a motion seconded by Ms. Church to make a positive recommendation. The motion passed 5-1 with Mr. Durkee voting against the motion.

Adjournment

Mr. Cortes made a motion seconded by Mr. Bilodeau to adjourn the meeting. All voted in favor. The meeting adjourned at 6:23 pm.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to be 'C. Manjrekar' with a stylized flourish at the end.

Choyon Manjrekar,

Recording Secretary